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FISCAL IMPACT STATEMENT

LS 7029

BILL NUMBER: HB 1362

NOTE PREPARED: Jan 8, 2012

BILL AMENDED:

SUBJECT: Student Discipline.

FIRST AUTHOR: Rep. Porter

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

Reporting: This bill requires the Department of Education to compile and report to the public information received from school corporations concerning student disciplinary actions, disaggregated by race, ethnicity, gender, and discipline categories. It provides that if the information reported by a school corporation indicates rates of discipline that exceed disproportionality criteria developed by the Department, the Department shall work with the school corporation to take corrective action.

Database: The bill requires the Department to develop a searchable data base concerning out-of-school suspensions and expulsions. It requires the Civil Rights Commission to annually use the information in the data base to identify school corporations with disproportionate out-of-school suspension and expulsion rates and to take appropriate action.

Discipline Plan: The bill requires that a school corporation's discipline plan must include the collection, review, and reporting to the department on an annual basis of school behavioral and disciplinary problems, arrests, and referrals to the juvenile justice system, disaggregated on the basis of race, ethnicity, and gender under guidelines for determining the existence of disproportionality in discipline or inappropriately high rates of suspension or expulsion.

Enrollment: The bill also provides that a student who seeks to enroll in another school while expelled or to avoid being expelled may be subject only to the same terms and conditions of enrollment as a student who is currently enrolled in the school.

Effective Date: July 1, 2012.

Explanation of State Expenditures: The Department of Education (DOE) and the Civil Rights Commission should be able to fulfill the bill's requirements with no additional appropriations, assuming near customary staffing and resource levels. The DOE currently receives reports on expulsions and suspensions from school corporations but the reports are not published on its website. Additionally, the current data does not include information on race, ethnicity, gender or referrals to juvenile justice system. These data will have to be included to fulfill the requirements of this bill.

Explanation of State Revenues:

Explanation of Local Expenditures: School corporations should be able to fulfill the bill's requirements with no additional appropriations. Under current law, each school corporation must have a discipline plan in place. The DOE also requires corporations to report suspension/expulsion incidents to the Department annually. The current data does not include information on race, ethnicity, gender or referrals to juvenile justice system. Under this bill, this information will have to be included.

The requirement for schools to accept a suspended or expelled student under the same terms as a student who is currently enrolled may discourage some school corporations from accepting students who have been expelled or suspended.

Explanation of Local Revenues:

State Agencies Affected: Department of Education; Indiana Civil Rights Commission.

Local Agencies Affected: School Corporations

Information Sources: Department of Education website.

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